

PETER SZANTO 949-887-2369
11 Shore Pine
Newport Beach CA 92657

CLERK U.S. BANKRUPTCY COURT
DISTRICT OF OREGON

APR 19 2018

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United States Bankruptcy Court

in and for the District of OREGON

1001 SW 5th Av., Portland OR 97204

In Re Peter Szanto, Debtor

=====

Peter Szanto, Plaintiff

vs.

Evye Szanto, et al,
Defendants

Adversarial # 16-ap-3114

core case:16-bk-33185-pcm7

Plaintiff Peter Szanto's

Declaration Supporting 3rd

Request to Reopen Discovery

(Companion To Plaintiff's

Motion to Reopen

Discovery)

1. Declaration of Peter Szanto

1. My name is Peter Szanto, I am the plaintiff herein.

2. This is my truthful declaration to which I will testify in Court.

16-ap-3114

Declaration – pg. 1

1
2 3. Defendants' deposition of Susan Szanto introduced a multitude of
3 new materials into this case, which raise new substantive issues in
4 the dispute.

5
6 4. Those new materials, among other things, were comprised of many
7 documents which I had never seen before.

8
9 5. Documents produced at Susan Szanto's deposition included new
10 documents from Jackson County, Oregon which had not been
11 previously introduced in this case.

12
13 6. **Susan Szanto concurred in my contention that those Jackson**
14 **County, Oregon materials were produced by the defendants**
15 **themselves.**

16 7. As a matter of fact, my contentions regarding defendants' theft of
17 my identity are supported by the Jackson County papers.

18 8. For example, this Court was misled by Mr. Henderson's
19 statements that a notarized signature is presumed authentic.

20
21 9. I contend that defendants likely (probably with the aid of whoever
22 was their counsel in 2011) fabricated the entire Jackson County
23 case – and let it lie fallow – just in anticipation of an opportunity
24 to foist it on a court years later. (A reserved matter, lying in wait
25 until there is a need to present it.)

1
2 10. There is ample evidence for this based on the fact that I would
3 have no reason to ever file a action in Jackson County Oregon (a
4 place I have never been; IE, in all the time I lived in Oregon, the
5 closest I ever got to Jackson County was when I was working in
6 Bend in 2017 (about 100 miles from Jackson County)).
7

8 11. However, the Jackson County papers appear to contain only
9 notarizations from California notaries.
10

11 12. The way in which defendants fooled this Court is by neglecting
12 to reveal that that in 2011, defendant Kimberly Szanto (now known
13 as Kimberly Bell) was living and working in Orange County
14 California.
15

16 13. Kimberly and / or Nicole Szanto's California residence easily
17 explains the possibility that – identically to plaintiff's contention that
18 Victor Szanto or Anthony Szanto impersonated Peter Szanto
19 before notaries and bank officers – Kimberly Szanto impersonated
20 Susan Szanto to obtain notarizations.
21

22 14. Nicole Szanto has also filed extensive declarations regarding
23 California residency in other actions. This fact would also tend to
24 prove the possibility of Nicole Szanto impersonating Susan Szanto
25 to secure notarizations.
26

1
2 15. The possibility of this scenario was heightened during Susan
3 Szanto's deposition when defendants' attorney Mr. Fell stated
4 that defendants had "the notaries available to testify."

5
6 16. Mr. Fell's statement let the-horse-out-of-the barn, because
7 why would the defendants have prepared the notaries prior to
8 hearing Susan Szanto's testimony?

9
10 17. That is, Susan Szanto could have testified that she was familiar
11 with the Jackson County case.

12
13 18. Specifically, the defendants have produced materials from 2011
14 which they appear intended to support by pre-conditioned notary
15 testimony from that same year.

16
17 19. However, the truth is that it is highly unlikely that any notary –
18 performing an average number of notarizations for strangers –
19 would actually remember a person from 7 seven years earlier had
20 they not been prepped (or worse, bribed) for such testimony.

21 20. Even in the face of Mr. Fell's intimidation, Susan Szanto
22 remained adamant that the alleged Jackson County signatures
23 were not hers.
24

1
2 21. However, the Jackson County forgeries of Susan Szanto's
3 signature did raise sufficient cause in Susan Szanto's mind to
4 join Peter Szanto's claims regarding identity theft as also applicable
5 to Susan Szanto.

6
7 22. Specifically then, one of the key areas into which discovery
8 need be made more fully is the inquiries seeking additional
9 evidence through interrogatories and written deposition questions
10 directed toward how it occurred that defendants discovered
11 Jackson County filings in 2017 from an occurrence in 2011. (And
12 similar questions.)

13
14 23. In other words, even though the outcome of the Jackson
15 County action seems to have been dismissal based on failed
16 service, the irony of how defendants obtained these
17 documents – from a place where they have extensive real
18 estate holdings, but plaintiff has never been, has not been
19 adequately explained nor even allowed any essential rebuttal
20 inquiry.

21 24. Interrogatories and written deposition questions are also
22 necessary further to develop this area of defendants evidence
23 so that plaintiff can properly rebut it.
24

1
2 25. At her deposition, Susan Szanto also identified photos from her
3 Facebook site as photos which could only be obtained through
4 hacking Susan Szanto's Facebook privacy settings without Susan
5 Szanto's permission. The photos could not have been obtained in a
6 any other way.

7
8 26. That is, not all persons are allowed access to Susan Szanto's
9 Facebook photos. Nonetheless, the defendants displayed photos
10 from the private and restricted areas of Susan Szanto's Facebook
11 account.

12
13 27. Further discovery into this question is necessary, because the
14 responses will help demonstrate the defendants' qualities of
15 hacking and account intrusion which are necessary to prove
16 plaintiff's identity theft claims against defendants.

17 28. **That is, the defendants obtaining access over Susan**
18 **Szanto's Facebook account tends to prove the defendants**
19 **propensity for the privacy subversion which was also**
20 **necessary to steal Peter Szanto's identity.**

21
22 29. Defendants also introduced material which tends to indicate
23 that the defendants responded to their own discovery requests
24 from Susan Szanto's employer.

1
2 30. That is, the defendants made statements at the deposition
3 which indicated that the defendants – and not Susan’s employer
4 responded to work related subpoenas.
5

6 31. All of these materials are significant not merely for their
7 evidentiary values, but also because they tend to demonstrate
8 defendants lack of credibility as to the evidence which they are
9 attempting to introduce.
10

11 32. I need the ability to conduct additional discovery so as to bolster
12 my contentions regarding the falseness of the documents which the
13 defendants introduced at the deposition of Susan Szanto.
14

15 33. In sum then, there are a multitude of facts which the defendants
16 have already revealed which point to activities which clearly
17 demonstrate that the defendants have engaged in identity theft (by
18 using my name on litigation in Jackson County, Oregon), which
19 defendants – likely with the assistance of their counsel – filed
20 themselves
21

22 34. No doubt the Court will have skepticism about this matter, but
23 a similar event, of my name being used in litigation about which I
24 was unaware, occurred in another case. I am seeking to retrieve
25 that court case, but the masses of documents in this case makes
26 the process difficult.
27
28

1
2 35. Other material of an even more dastardly nature is also in the
3 deposition of Susan Szanto, which I seek also to develop into
4 admissible evidence.
5

6 36. I declare under penalty of perjury under the laws of the United
7 States that the foregoing is true and correct. Signed at Irvine CA.
8

9 DATED 4-18-18 /s/  Peter Szanto
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2 **Proof of Service**

3
4 My name is Maquisha Reynolds, I am over 21 years of age and not
5 a party to the within action. My business address is PO Box 14894,
6 Irvine CA 92623. On the date indicated below, I personally served the
7 within:

8 **Declaration**

9
10 by e-mail to Mr. Olsen and Mr. Henderson at:

11
12 nhenderson@portlaw.com

13
14 I declare under penalty of perjury under the laws of the United States
15 that the foregoing is true and correct. Signed at Portland OR.

16
17 Dated 4-18-2018 /s/ Maquisha Reynolds
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press

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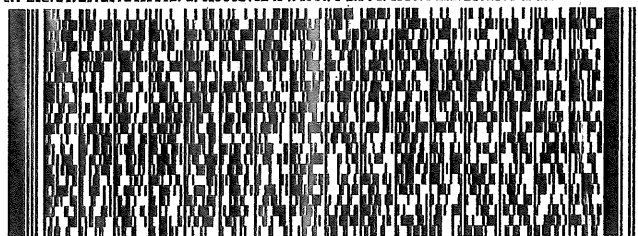
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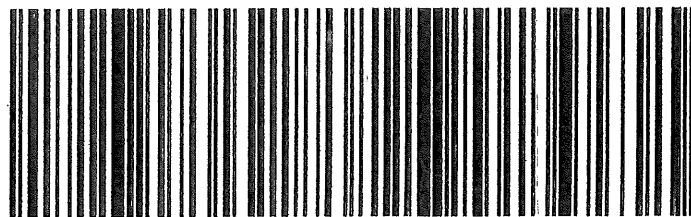
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